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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,775	03/09/2004	Jeffery M. Enright	D-1218 R1	1654
28995	7590	10/19/2005	EXAMINER	
RALPH E. JOCKE walker & jocke LPA 231 SOUTH BROADWAY MEDINA, OH 44256			FUREMAN, JARED	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/796,775

Applicant(s)

ENRIGHT ET AL.

Examiner

Jared J. Fureman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-27 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03/2005</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Receipt is acknowledged of the declaration, on 6/21/2004, and the IDS, on 3/16/2005, which have been entered in the file. Claims 1-27 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ross (US 6,626,357 B1) in view of Lundblad (US 4,447,714).

Ross teaches an apparatus comprising an automated banking machine (self service terminal 10, see figure 1) including a housing (see figure 1); at least one input device (card reader slot 14 or key pad 16, for example, see figure 1) in supporting connection with the housing and adapted to receive at least one input (see column 2,

lines 48-50) associated with each user of the machine; a cash dispensing mechanism (cash dispenser 20, see figures 1 and 2) in supporting connection with the housing; an empty envelope holding container in supporting connection with the housing (not shown, but necessarily present, in order to dispense envelopes from the self service terminal through envelope dispensing slot 22, see figures 1, 2, column 2, line 65 - column 3, line 15); a deposit envelope holding container (a small safe area within the terminal, see column 2, line 65 - column 3, line 1) in supporting connection with the housing.

While Ross teaches a mechanism operative to move an empty envelope from the empty envelope holding container through a dispensing opening that extends through the housing to the outside of the machine (envelope dispenser and slot 22), and a deposit mechanism to move a deposit envelope received in a deposit opening to the deposit envelope holding container (envelope depository and slot 24), Ross fails to specifically teach a deposit mechanism operative to move an empty envelope from the empty envelope holding container through a deposit opening that extends through the housing to the outside of the machine, and to move a deposit envelope received in the deposit opening to the deposit envelope holding container.

Lundblad teaches an automated teller machine (see figures 1 and 2) including a deposit mechanism (feed means 10, see figure 1) operative to move an empty envelope from an empty envelope holding container (envelope magazine 11, see column 3, lines 5-7) through a deposit opening (opening 12, see figure 1) that extends through the housing to the outside of the machine, and to move a deposit envelope received in the

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deposit opening to a deposit envelope holding container (storage space or chamber 14, see figure 1, and column 3, lines 11-15) (also see figures 1, 2 and column 2, line 13 - column 3, line 36).

In view of Lundblad's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the apparatus as taught by Ross, a deposit mechanism operative to move an empty envelope from the empty envelope holding container through a deposit opening that extends through the housing to the outside of the machine, and to move a deposit envelope received in the deposit opening to the deposit envelope holding container; in order to reduce the number of envelope feeding components and document slots in the housing (as compared to having separate feeding means and slots for envelope dispensing and receiving), thereby saving cost by reducing the number of components.

Allowable Subject Matter

4. Claims 2-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record, taken alone or in combination, fails to teach or fairly suggest: the empty envelope holding container is accessible in the upper cabinet portion and the deposit holding container is positioned in the secure chest portion; in combination with the other claimed limitations as recited in the claims.

Without the benefit of applicant's teachings, there is no motivation for one of ordinary skill in the art at the time of the invention to modify or combine the prior art of record in a manner so as to create the claimed invention.

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Carriere (US 6,598,759 B2), Henderson (US 6,276,602 B1), Postrel et al (US 6,003,008), Peterson (US 5,954,226), Ehrahimi (US 5,683,079), Johnston (US 5,673,333), Ramachandran et al (US 5,590,609), Nicoll (US 5,577,719), McMillan (US 5,436,425), Crighton (US 5,238,143), Tsukui (US RE 33,688), Hain et al (US 4,649,832), Takamatsu et al (US 4,567,358), Simonotti et al (US 4,361,086), Sawaguchi et al (US 3,973,237), Grosswiller, Jr et al (US 3,897,901) and Fukatsu (US 4,540,106) all teach automated teller machines or apparatus including envelope dispensers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (571) 272-2391. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jared J. Fureman
Primary Examiner
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October 16, 2005